

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Public Hearing Meeting**  
**Tuesday, September 21, 2004 - - 5:00 p.m.**

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Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald, Paul C. Smedberg and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Ms. Fogarty, Director of Planning and Zoning; Ms. Gordon, Public Information Officer; Mr. Johnson, Director of the Office of Management and Budget (OMB); Mr. Neckel, Director of Finance; Mr. Baier, Director of Transportation and Environmental Services; Ms. Boyd, Director of Citizen Assistance; Mr. Dahlberg, Director of Code Enforcement; Mr. Kincannon, Director of Recreation, Parks and Cultural Activities; Police Lt. Uzzell; Ms. Padron, Budget Analyst, OMB; Ms. Moore, Acting Deputy Director, OMB; Mr. Farner, Division Chief, Planning and Zoning; Ms. Peterson, Urban Planner, Planning and Zoning; Ms. Irps, Urban Planner, Planning and Zoning; Ms. Pearson, Urban Planner, Planning and Zoning; Mr. Sundland, Urban Planner, Planning and Zoning; Mr. Eiffert, Deputy Director, Housing; Mr. Culpepper, Deputy Director, Transportation and Environmental Services; Mr. Robinson, Electrician, General Services; Mr. Colevas, ITS; Captain Ray, Police Department and Mr. Farid, ITS/Telecommunications.

Recorded by: Gloria Sitton, Deputy City Clerk and Clerk of Council

**OPENING**

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the Roll; all the Members of City Council were present.

2. Public Discussion Period.

(a) Ronald Shively, 1810 North Bryan Street, a homeowner at 510 Pendleton Street, requested Council's assistance resolving problems surrounding renovations on his home.

(b) Richard W. Stepp, 3303B Commonwealth Avenue, spoke about ongoing issues he is experiencing with City departments and the Police Department.

(c) Ellen Pickering, 103 Roberts Lane, spoke about urban sprawl in the Metropolitan Washington area and requested that Council be mindful of adding density to Alexandria.

(d) Julie Crenshaw, 816 Queen Street, spoke about honesty in government and Council should expect honesty from all members of City staff.

### **NEW BUSINESS:**

18a. Introduction and First reading. Consideration. Passage on First Reading of an Ordinance to Establish a Pilot Program for Sidewalk Cafe Seating in the King Street Corridor.

(A copy of the informal memorandum explaining the ordinance is on file in the office of the City Clerk and Clerk of Council marked Exhibit No. 2 of Item No. 18a, 9/21/04, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 18a, 9/21/04, and is incorporated as part of this record by reference.)

The following person spoke on this item:

Charlotte Hall, 205 The Strand, spoke on behalf of the Old Town Business Association, in favor of adding outdoor dining to the restaurants in Old Town.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council introduced and passed the Ordinance on first reading, set it for Public Hearing, Second Reading and Final Passage on Tuesday, September 28, 2004. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

### **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

## **ACTION CONSENT CALENDAR (3-10)**

### **Planning Commission**

3. SPECIAL USE PERMIT #2004-0048  
1225 POWHATAN STREET  
RUFFINO'S RESTAURANT  
Public Hearing and Consideration of a request for a review of a special use permit for a restaurant; zoned RB/Residential. Applicant: Department of Planning and Zoning

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3, 9/21/04, and is incorporated as part of this record by reference.)

4. SPECIAL USE PERMIT #2004-0056  
1025 WEST GLEBE ROAD  
7-ELEVEN, INC.  
Public Hearing and Consideration of a request for a special use permit to operate a nonconforming convenience store use; zoned CG/Commercial General. Applicant: 7-Eleven, Inc. by Maynard Sipe, attorney

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4, 9/21/04, and is incorporated as part of this record by reference.)

5. SPECIAL USE PERMIT #2004-0064  
5335 HOLMES RUN PARKWAY  
CHILD CARE HOME  
Public Hearing and Consideration of a request for a special use permit to operate a child care home; zoned R-8/Residential. Applicant: Heitha M. Beane

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5, 9/21/04, and is incorporated as part of this record by reference.)

6. SPECIAL USE PERMIT #2004-0066  
2911 CAMERON MILLS ROAD (PARCEL ADDRESS: 2909 CAMERON MILLS ROAD)  
TRINITY MCPS PRESCHOOL

Public Hearing and Consideration of a request for a special use permit amendment for a preschool; zoned R-8/Residential. Applicant: Irene Reynolds

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6, 9/21/04, and is incorporated as part of this record by reference.)

7. SPECIAL USE PERMIT #2004-0067

1630 KING STREET

DAH N YOGA

Public Hearing and Consideration of a request for a special use permit to operate a yoga studio and for a parking reduction; zoned OCH/Office Commercial High. Applicant: Sunghee Kim

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7, 9/21/04, and is incorporated as part of this record by reference.)

8. SPECIAL USE PERMIT #2004-0068

608 NORTH SAINT ASAPH STREET

QUIZNOS SUBS

Public Hearing and Consideration of a request for a special use permit amendment to increase the number of seats and hours of operation at a restaurant; zoned CRMU-X/Commercial Residential Medium Use. Applicant: Mohammed Hossain

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8, 9/21/04, and is incorporated as part of this record by reference.)

9. SPECIAL USE PERMIT #2004-0070

2459 EISENHOWER AVENUE (PARCEL ADDRESS: 2461 EISENHOWER AVENUE)

STARBUCKS COFFEEHOUSE

Public Hearing and Consideration of a request for a special use permit to operate a restaurant (coffeehouse); zoned CDD-2/Coordinated Development District. Applicant: Shanna Ruhl

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9, 9/21/04, and is incorporated as part of this record by reference.)

10. SPECIAL USE PERMIT #2004-0074  
25 SOUTH QUAKER LANE - FIRST FLOOR  
GLOBAL HEALTH NURSE TRAINING SERVICES  
Public Hearing and Consideration of a request for a special use permit amendment to increase the number of students allowed at a nursing school; zoned CSL/Commercial Service Low. Applicant: Mariatu Kargbo

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10, 9/21/04, and is incorporated as part of this record by reference.)

### **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the action consent calendar with the removal of item 7 and considered it under separate action. The action of City Council follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.
8. City Council approved the Planning Commission recommendation.
9. City Council approved the Planning Commission recommendation.
10. City Council approved the Planning Commission recommendation.

The voting was as follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson		"aye"

7. SPECIAL USE PERMIT #2004-0067

1630 KING STREET

DAHN YOGA

Public Hearing and Consideration of a request for a special use permit to operate a yoga studio and for a parking reduction; zoned OCH/Office Commercial High. Applicant: Sunghee Kim

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7, 9/21/04, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Macdonald, seconded by Vice Mayor Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

Macdonald	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
Woodson	"aye"		

#### REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

11. Public Hearing on Renewal of Grant Application for the Local Law Enforcement Block Grant for Fiscal Year 2005. (#9, 9/14/04)

(A copy of the City Manager's memorandum dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11, 9/21/04, and is incorporated as part this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council closed the public hearing. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
Woodson	"aye"		

**WHEREUPON**, upon motion by Councilman Macdonald, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the renewal of the grant application for the Local Law Enforcement Block Grant for Fiscal Year 2005. The voting was as follows:

Macdonald	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"

Euille            "aye"            Smedberg    "aye"  
                     Woodson        "aye"

12. Public Hearing on the Community Partnership Fund for Human Services Recommended Priorities for the FY 2006 Competitive Grant Cycle. (#11, 9/14/04)

(A copy of the City Manager's memorandum dated August 31, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12, 9/21/04, and is incorporated as part this record by reference.)

The following persons participated in the public hearing on this item:

(a) Yvonne Byrd, 241 Lynhaven Drive, representing the Tenants and Workers Support Committee, made the following recommendations for the FY 2006 Community Partnership Fund: 1) increase overall funding for the Community Partnership Fund; 2) provide separate funding for personnel to conduct site visits, meet with applicants, and evaluate proposals; 3) add a new funding priority of Civic Participation, including the following needs of community-building and neighborhood revitalization, support residents to improve housing conditions and expand affordable housing and support low-income parents to become active in school planning and oversight process.

(b) Rhonda Thissen, 118 Clifford Avenue, representing Northern Virginia Family Service, spoke on behalf of the Alexandria Medical Care for Children Partnership, which offers comprehensive sick and well care for children from low income families. Ms. Thissen pointed out that the program would be closing this year due to lack of financial support from the City. Ms. Thissen stated the requirement of the 50% cash match places an undue burden on organizations attempting to implement creative solutions to community needs.

(c) Carol Freeman, 619 Upland Place, representing the Nonprofit Council of Alexandria, thanked City staff, particularly Carol Moore, Idania Padron, and Mark Jinks, for all their receptiveness and responsiveness to the recommendations to the grant application process. Ms. Freeman also thanked Councilman Krupicka for his advice and input. Ms. Freeman noted that some of the recommendations the Nonprofit Council submitted would be accepted and that other recommendations were being considered, including changing the due date for grant proposals from December to January, allowing more time to project the amount that would be requested from the Community Partnership Fund.

(d) Carol Loftur-Thun, 5275 Lee Highway, #301, Arlington, Virginia, representing CrisisLink, thanked Council for the increased support of the program, including outreach to teens and senior citizens in Alexandria. Ms. Loftur-Thun requested that Council increase the Community Partnership Fund and target prevention, making services more accessible and outreach to those most vulnerable. Ms. Loftur-Thun gave an overview of the programs that CrisisLink offered and stated their support for the

recommended changes.

(e) Bill North-Rudin, 2210 Mount Vernon Avenue, representing the Alexandria Volunteer Bureau, spoke in support of the Community Partnership Fund and the priorities proposed for the coming fiscal year.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing and set the final adoption of the item for September 28, 2004. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

## **REPORTS OF BOARDS, COMMISSION AND COMMITTEES (continued)**

### **Planning Commission (continued)**

13. SPECIAL USE PERMIT #2003-0115

301 LAVERNE AVENUE

SUBSTANDARD LOT DEVELOPMENT

Public Hearing and Consideration of a request for a special use permit to construct a single family dwelling on a substandard lot and for a parking reduction; zoned R/Residential. Applicant: Brett D. Rice

PLANNING COMMISSION ACTION: RECOMMEND DENIAL 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13, 9/21/04, and is incorporated as part of this record by reference.)

This item was deferred at the request of the applicant.

14. SPECIAL USE PERMIT #2004-0069

4920 BRENMAN PARK DRIVE (PARCEL ADDRESS: 191 SOMERVELLE STREET)

BRIGHT START LEARNING CENTER

Public Hearing and Consideration of a request for a special use permit to operate a day care center; zoned CDD-9/Coordinated Development District. Applicant: Kerri Chase

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14,



9/21/04, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

City Council took the following item out of order:

16. DEVELOPMENT SPECIAL USE PERMIT #2004-0026

191 SOMERVELLE STREET

CAMERON STATION - PHASE III

Public Hearing and Consideration of a request for a development special use permit amendment to expand the definition of permitted commercial uses to include day care centers and other uses; zoned CDD-9/Coordinated Development District. Applicant: Main Street Retail, L.C. by Duncan Blair, attorney

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16, 9/21/04, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

15. DEVELOPMENT SPECIAL USE PERMIT #2004-0001

1115 CAMERON STREET & 200 NORTH HENRY STREET

THE PRESCOTT (HOPKINS SITE)

Public Hearing and Consideration of a request for a development special use permit, with site plan and modifications, to construct a residential condominium building with underground parking; zoned CD/Commercial Downtown. Applicant: Cameron Street LLC c/o Carrhomes, Inc. by J. Howard Middleton, Jr., attorney

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 6-1

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15, 9/21/04, and is incorporated as part of this record by reference.)

Director Fogarty gave an overview of the proposed development project to Council, including a discussion on building height, landscaping/open space and access to the building. Deputy Director Culpepper gave an overview of traffic in the area and access to the proposed development. Staff responded to questions from Council about the proposed development project, particularly access on Fayette Street.

The following persons participated in the public hearing on this item:

(a) Howard Middleton, 3110 Fairview Park Drive, attorney representing the applicant, gave Council an in-depth description of the proposed development project. Mr. Middleton requested that Council change condition 1C to state that the structure could be a three-story element with a roof and doomers. Mr. Middleton also proposed amendments to conditions 80 and 81 that would require disclosures to potential buyers about the surrounding urban environment.

(b) Mr. Synder, Lazar Group, architect, gave an overview of how the footprint of the building would be affected if building access was moved to Cameron Street.

Mr. Middleton participated in discussion with members of Council concerning traffic safety and access on Fayette Street.

(c) Wilson Thompson, 1201 Queen Street, spoke in support of the development project but expressed concern about the entrance to the condominiums on Fayette Street.

(d) Katy Cannady, 20 East Oak Street, spoke in opposition to the development project, sighting the lack of accessible open space and density as problems.

(e) Charlotte Landis, 433 North Patrick Street, spoke about the protection of the trees in the area of the proposed project and the accessibility of the terrace green space.

(f) Debra Sabourin, 1212 Princess Street, spoke about the access on Fayette Street and the how the project would affect the character of the neighborhood.

(g) Sarah Becker, 1200 Princess Street, expressed qualified support of the project, stating reservations about the access on Fayette Street.

(h) Michael Hobbs, 419 Cameron Street, representing the Old Town Civic Association, stated that the principal concern of the Old Town Civic Association was the height and mass of the building overlooking Cameron and Henry Street. However,

Mr. Hobbs noted that the project was a substantial improvement and recommended approval.

(i) Amy Harris-White, 621 North West Street, representing the Inner City Civic Association, spoke in support of the development project.

(j) Teri D. Webster, 1208 Princess Street, spoke in support of the project but expressed concern about the access on Fayette Street and traffic safety in the area.

(k) Poul Hertel, 1217 Michigan Court, stated that this project would have a significant impact on the inner city and requested that the City consider transforming Fayette Street into a pedestrian friendly street.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
Woodson	"aye"		

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council deferred action on this item for at least a month. City Council requested that staff and the applicant investigate other access options for the project, particularly on Cameron Street, as well present other options for traffic issues/traffic calming in the vicinity. The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
Smedberg	"aye"		

17. SPECIAL USE PERMIT #2004-0065  
108A, 110 AND 112 KING STREET  
DANIEL O'CONNELL'S IRISH RESTAURANT  
Public Hearing and Consideration of a request for a special use permit to operate a restaurant; zoned CD/Commercial Downtown. Applicant: Daniel O'Connell's Irish Restaurant, LLC by Robert L. Calhoun, Esq., agent

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 6-1

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17, 9/21/04, and is incorporated as part of this record by reference.)

Director Fogarty presented an overview of the proposed restaurant project to Council.

The following persons participated in the public hearing for this item:

(a) Robert L. Calhoun, 510 King Street, attorney representing the applicant, gave an overview of the proposed restaurant and requested that Council support the project.

(b) Mark Kirwan, 1427 F Street, NE, Washington, D.C., applicant, spoke in support of the project and responded to questions from Council.

(c) Charlotte Hall, 205 The Strand, representing Old Town Business Association, spoke in support of the restaurant development.

(d) Michael Hobbs, 419 Cameron Street, representing the Old Town Civic Association, spoke in opposition to the restaurant development, citing parking problems. Mr. Hobbs requested that the core principal of the Old Town Small Area Plan providing for a balance between large scale new commercial development and residential dwellings be preserved.

(e) Mark Feldheim, 1215 Prince Street, spoke in support of the restaurant development.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing. The voting was as follows:

Krupika	"aye"	Pepper	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Krupicka	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

18. VACATION #2004-0001  
700 SOUTH LEE STREET  
Public Hearing and Consideration of a request for a vacation of a public

right-of-way; zoned RM/Residential Medium. Applicant: Ruby R. Schropp

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 7-0

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18, 9/21/04, and is incorporated as part of this record by reference.)

City Council deferred this item at the request of the applicant.

## **ORDINANCES AND RESOLUTIONS**

None.

## **REPORTS OF BOARDS, COMMISSION AND COMMITTEES (continued)**

19. CITY CHARTER SECTION 9.06 CASE #2004-0002  
4615 & 4617 SEMINARY ROAD AND 4500 WEST BRADDOCK ROAD  
SEMINARY FOREST  
Consideration of a proposal by the City of Alexandria to acquire property from Seminary Forest Associated Limited Partnership for the use of open space, pursuant to the provisions of Section 9.06 of the City Charter.

PLANNING COMMISSION ACTION: APPROVED 4-0-3

(A copy of the Planning Commission report dated September 9, 2004, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19, 9/21/04, and is incorporated as part of this record by reference.)

**(THIS ITEM IS NOT SET FOR PUBLIC HEARING BUT IS FOR CITY COUNCIL'S INFORMATION ONLY - NO APPROVAL IS NECESSARY.)**

City Council received the item as information.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **DEFERRAL/WITHDRAWAL CONSENT CALENDAR (20-21)**

#### **Planning Commission (continued)**

20. DEVELOPMENT SPECIAL USE PERMIT #2004-0027  
4951 BRENMAN PARK DRIVE  
CAMERON STATION - PHASE I  
Public Hearing and Consideration of a request for a development special use permit amendment to expand the definition of permitted commercial uses to include day care centers and other uses; zoned CDD-9/Coordinated

Development District. Applicant: Main Street Retail, L.C. by Duncan Blair, attorney

PLANNING COMMISSION ACTION: DEFERRED (IMPROPER NOTICE)

21. SPECIAL USE PERMIT #2004-0073  
2705 MOUNT VERNON AVENUE  
RITA'S ITALIAN ICE

Public Hearing and Consideration of a request for a special use permit to operate a restaurant; zoned CL/Commercial Low. Applicant: Gary L. Jones and Robynn Thornton-Howie

PLANNING COMMISSION ACTION: DEFERRED (APPLICANT'S REQUEST)

**END OF DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

Without objection, City Council noted the deferrals.

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**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the meeting at 9:15 p.m. The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

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APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Gloria A. Sifton Deputy City Clerk